Criminal Revision No. 651 of 2001
(Old No. 1562/1985)
Hon'ble Irshad Hussain, J.

None appears for the revisionist despite service. Heard the A.G.A. and perused the impugned judgment. The learned Magistrate on the basis of the evidence recorded u/s 244 Cr.P.C. was of the view that no offence u/s 420/468/120 B I.P.C. was made out against the accused and accordingly discharged him u/s 245Cr,.P.C.. Aggrieved by the said order, the complainant filed a revision before the Sessions Judge who considered the evidence of P.W.1 Smt. Sunita and P.W.2 Darshan Kumar and was of the view that the learned Magistrate has failed to properly appreciate the evidence of the witnesses and thereby wrongly passed an order of discharge of the accused u/s 245Cr.P.C. In view thereof, the order was set aside and the case was directed to be sent back to the Magistrate concerned for further inquiry into the complaint in the light of the observations made in the judgment. Considering the evidence of P.W.1 And P.W.2 there appears no illegality or impropriety in the judgment dated 2.7.1985 passed by the Addl. Sessions Judge, Dehradun and therefore, the revision has no force and is hereby dismissed. The stay order dated 6.9.1985 is vacated.

(Irshad Hussain, J.)

02.07.2002
M.P.S.